

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMRAH KAZMI,

Plaintiff,

-vs-

WACHOVIA SECURITIES INC.,

Defendant.

Civil Action No. 08 CV 1708

Judge Lynch

**DEFENDANT WACHOVIA SECURITIES,
LLC'S MOTION FOR AN EXTENSION
OF TIME TO ANSWER THE
COMPLAINT**

Defendant Wachovia Securities, LLC, improperly denominated in the caption as Wachovia Securities, Inc. ("Wachovia") moves for a three-week extension of time, from March 17, 2008, up to and including, April 7, 2008, to respond to the Complaint. In support of this application, Wachovia states as follows:

1. This is the first extension of time sought by Wachovia with regard to this deadline.
2. On or about February 21, 2008, plaintiff, Samrah Kami, commenced a civil action by filing a Complaint in the United States District Court for the Southern District of New York, entitled *Samrah Kazmi v. Wachovia Securities, Inc.*, Docket Number 08 CV 1708.
3. The Summons and Complaint were not served upon or otherwise received by Wachovia until February 26, 2008. This was the first date on which Wachovia received copies of the Summons and Complaint through service or otherwise.
4. Pursuant to Fed R. Civ. P. 12(a)(1)(A), Wachovia's time to answer, move, or otherwise reply to the Complaint expires on March 17, 2008.

5. An attempt has been made to obtain Plaintiff's counsel, Jenice L. Malecki's, consent in connection with this application. Unfortunately, I have not been able to reach Ms. Malecki to secure her consent to an extension of time.

6. Wachovia seeks an extension of time because the Complaint contains numerous and very detailed allegations pertaining to claims of employment discrimination. Wachovia requires the time to obtain the employment files relating to plaintiff's claims and to determine the basis for the claims pleaded in the Complaint. The time limitation in question cannot reasonably be met despite the diligence of Wachovia.

WHEREFORE, Wachovia respectfully requests that the date for filing its response to the Complaint be extended up to and until April 7, 2008.

FISHER & PHILLIPS LLP

Attorneys for Defendants

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/s/ Kathleen McLeod Caminiti

By: KATHLEEN McLEOD CAMINITI (KC2736)

Of Counsel for the Firm

Dated: March 11, 2008

CERTIFICATE OF SERVICE

I, Kathleen McLeod Caminiti, Esq. am of counsel with the firm of Fisher & Phillips LLP, attorneys for Defendant Wachovia Bank in the within matter.

I hereby certify that, on this 11th day of March, 2008, Wachovia's Motion for a Extension of Time to Answer the Complaint was filed electronically. A true and accurate copy of the within Defendant Wachovia Securities, LLC's Motion for a Extension of Time to Answer the Complaint, and this Certificate of Service was served upon the following, in accordance with the Federal Rules of Civil Procedure, the electronic filing rules of the United States District Court, Southern District of New York:

Jenice L Malecki, Esq.
Malecki Law
11 Broadway, Suite 715
New York, NY 10004
Attorneys for Samrah Kazmi

I hereby certify that, on this 11th day of March, 2008, two courtesy copies of Wachovia Securities LLC's Motion for a Extension of Time to Answer the Complaint were sent via regular mail to:

Hon. Gerard E. Lynch, USDC
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 910
New York, NY 10007

/s/ Kathleen McLeod Caminiti
KATHLEEN McLEOD CAMINITI (KC2736)
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Dated: March 11, 2008